

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

CODY MARSHALL BAKER,

Petitioner,

v.

BILL STANGE,

Respondent.

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No. 1:21-CV-87 NAB

**OPINION, MEMORANDUM AND ORDER**

This matter is before the Court on review of petitioner’s application for writ of habeas corpus brought pursuant to 28 U.S.C. § 2254. The Court will transfer this case to the United States District Court for the Western District of Missouri.


Petitioner, a Missouri state prisoner, seeks a writ of habeas corpus under 28 U.S.C. § 2254. Petitioner is incarcerated in the Eastern District of Missouri. Petitioner’s conviction, however, arose in the Western District of Missouri, namely in Boone County, Missouri.

The Eastern District of Missouri and the Western District of Missouri both have jurisdiction over the petition. *See* 28 U.S.C. § 2241(d). In such an instance as this, the Court may transfer the petition to the Western District “in furtherance of justice . . .” *Id.* Additionally, the Court has entered an administrative order stating that, absent any unusual circumstances any habeas petition challenging a conviction or sentence arising out of a proceeding in the Western District of Missouri should be transferred to that district. *In re Business of the Court*, January 27, 1986. As a result, the Court will order that this case be transferred to the United States District Court for the Western District of Missouri.

Accordingly,

**IT IS HEREBY ORDERED** that that the Clerk shall transfer this case to the United States District Court for the Western District of Missouri. *See* 28 U.S.C. § 2241(d).

Dated this 16<sup>th</sup> day of June, 2021.

  
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HENRY EDWARD AUTREY  
UNITED STATES DISTRICT JUDGE